

( 1 )

---

THE  
Great Question  
In the Case of the  
ABSOLUTION  
OF

Sir John Friend and Sir William Parkens,

Which will be insisted on at the Trial of the  
Absolvers 'tis presum'd will be, whether the  
giving them *Absolution* at the place of Execu-  
tion, was a Lawful, or Unlawful Act.

That it was a Lawful Act, appears to me from  
the following Considerations;

1. **F**OR a Minister of the Church of *England* to  
give Absolution to a dying Penitent, if he  
humbly and heartily desire it, is a lawful  
Act, as appears by the Rubrick in the Office  
for the Visitation of the Sick; which is not only con-  
firm'd by, but a part of the Act of Uniformity.

2. There being no particular Office appointed in the  
Liturgy for Persons to be Executed ( whose Souls are as

precious, and as much to be taken care of, as the Souls of those who dye in their Beds ) that for the Visitation of the Sick, which by parity of Reason is fairly applicable to the case of Persons to be Executed, who are to be consider'd as dying Men must be used, or none at all in their Case; unless the Ministers officiating is left to the liberty of Extemporary Effusions, which rather become a Calvinistical Elder, than a Presbiter of the Church of *England*. And why is it not as justifiable to use the Office for the Visitation of the Sick in the Case of Persons to be Executed as to use the Prayer in that Office Publicly in Churches in behalf of the Sick, which are appointed by the Rubrick to be used in the sick Persons Chamber; for which only necessity, and a defect in the Liturgy is pleaded?

3. The Circumstances of time and place and Ceremony being entirely left by the Rubrick ( where there is neither Command nor Prohibition concerning them ) to the discretion and choice of the Ministers Absolving, and the Penitent to be Absolved; how could it be Criminal in the Absolvers of Sir J. F. and Sir W. P. to give them Absolution with Imposition of Hands at the place of Execution, which they desir'd as a comfortable Support under the Terrors of Death, as a *Viaticum* in their Passage to Eternity?

4. 'Tis entirely left to the Absolving Minister to judge of the Spiritual state of his Penitent, whether he be duly qualified, or not, to receive Absolution. — *Vid Rubrick, ut supra.*

5. The Ministers Absolving is to rest Satisfied with an Account of the general Repentance of the Penion to be Absolved



Absolved, who is not obliged to make a particular and special Confession of his Sins to the Absolver, unless he feel his Conscience troubled with any weighty matter; as appears by the Rubrick, *ut supra*. To affirm the contrary, is to plead for Auricular Confession, as 'tis taught and practised in the Church of *Rome*.

6. If the Person to be Absolved makes a special voluntary Confession of his Sins, the Absolver is bound by the Canon to conceal it, and keep it a Secret from all the World. *Vid. 113. Can.* If it be Objected that in case of a Treasonable Conspiracy which the Penitent confesses, the Absolver is not bound to conceal it, it may be answer'd, that in the Case of Sir *J. F.* and Sir *W. P.* there was no treasonable Conspiracy so pretended or laid to their charge, but what was discovered and made publick, and which they were Convicted of.

7. Suppose, that after the Death of the Absolved Penitent, who dies in his Bed by the Visitation of God, a Paper should be published under his own Hand (which the Absolver knew nothing of) whereby it appears that he was Guilty of *Heresy* in the Church, and Treason in the State, and that he justified both the one and the other: Shall this affect the Absolver, and make him a Criminal in giving Absolution? If not, then, with Submission, neither could the Paper left by Sir *J. F.* and *W. P.* with the Sheriff, and afterwards published, which the Absolvers were altogether Strangers to, any ways affect the said Absolvers, or render them Criminals in giving them Absolution.

8. Suppose that Sir *J. F.* and Sir *W. P.* had left no Paper with the Sheriff, and none had been published after their Death; 'tis presum'd then that the Absolvers would  
not

not have been Questioned, or Censur'd for giving them Absolution.

9. Nay farther, suppose that Sir J. F. and Sir W. P. had left a Paper with the Sheriff, which he had afterwards publish'd, acknowledging their Guilt, and signifying their Repentance as to that particular Crime which they were Convicted of; then 'tis presum'd that the Absolution would have been so far from being Censur'd for giving them Absolution, that it would have been generally agreed to be a Charitable, regular and lawful Act. And if it was in it self a lawful Act at the time of the Performance of it, no subsequent Act or Circumstance whatsoever, which the Absolvers were Strangers to, would make it unlawful. Nothing could make it unlawful *à parte post*, which was a lawful Act *à parte ante*. But if it was in it self an unlawfull Act at the time of the performance of it, no subsequent Act or Circumstance whatsoever; how grateful soever to the Government, as in the before mention'd instance, could make it lawful.

---

F F N I S

on 1st had Sir J. F. and Sir W. P. had left no Paper with the Sheriff, and none had been published after their Death; it is presum'd then that the Absolvers would